

Attorney Docket No.: **DEX0491US.NP**
Inventors: **Papkoff et al.**
Serial No.: **10/562,259**
Filing Date: **December 21, 2005**
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This listing of the claims will replace all prior versions and listings of claims in the application:

Listing of the claims:

Claim 1 (original): An isolated Pro104 antibody that binds to Pro104 on a mammalian cell in vivo.

Claim 2 (original): The antibody of claim 1 which internalizes upon binding to Pro104 on a mammalian cell in vivo.

Claim 3 (previously presented): The antibody of claim 1 which is a monoclonal antibody, an antibody fragment or a chimeric or humanized antibody.

Claims 4-5 (canceled)

Claim 6 (previously presented): The antibody of claim 1 which is produced by a hybridoma selected from the group consisting of American Type Culture Collection accession number PTA-5277, 6076, 6077 and 6078 or competes for binding to the same epitope as the epitope bound by a monoclonal antibody produced by a hybridoma selected from the group consisting of ATCC accession number PTA-5277, 6076, 6077 and 6078.

Claim 7 (canceled)

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Claim 8 (previously presented): The antibody of claim 1 which is conjugated to a growth inhibitory agent or a cytotoxic agent.

Claim 9 (canceled)

Claim 10 (previously presented): The antibody of claim 8 wherein the cytotoxic agent is selected from the group consisting of toxins, antibiotics, radioactive isotopes and nucleolytic enzymes.

Claims 11-15 (canceled)

Claim 16 (original): An anti-Pro104 monoclonal antibody that inhibits the growth of Pro104-expressing cancer cells in vivo.

Claims 17-18 (canceled)

Claim 19 (previously presented): The antibody of claim 16, which is a humanized form of an anti-Pro104 antibody produced by a hybridoma selected from the group consisting of ATCC accession number PTA-5277, 6076, 6077 and 6078.

Claim 20 (original): The antibody of claim 16, wherein the cancer cells are from a cancer selected from the group consisting of breast, ovarian, pancreatic and lung cancer.

Claims 21 (canceled)

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Claim 22 (previously presented): A cell that produces the antibody of claim 1.

Claim 23 (original): The cell of claim 22, wherein the cell is selected from the group consisting of hybridoma cells deposited under American Type Culture Collection accession number PTA-5277, 6076, 6077 and 6078.

Claims 24-29 (canceled)

Claim 30 (withdrawn): A method of killing a Pro104-expressing cancer cell, comprising contacting the cancer cell with the antibody of claim 1, thereby killing the cancer cell.

Claim 31 (withdrawn): The method of claim 30, wherein the cancer cell is selected from the group consisting of breast, ovarian, pancreatic and lung cancer cell.

Claims 32-34 (canceled)

Claim 35 (withdrawn): The method of claim 30, wherein the antibody is an antibody fragment or a humanized antibody.

Claim 36 (canceled)

Claim 37 (withdrawn): The method of claim 30, wherein the antibody is conjugated to a cytotoxic agent.

Claim 38 (canceled)

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Claim 39 (withdrawn): The method of claim 30, wherein the antibody is a humanized form of the antibody produced by a hybridoma selected from the group consisting of ATCC accession number PTA-5277, 6076, 6077 and 6078.

Claims 40-46 (canceled)

Claim 47 (withdrawn): The method of claim 30, wherein the antibody is administered in conjunction with at least one chemotherapeutic agent.

Claims 48-60 (canceled)

Claim 61 (withdrawn): A method for detecting Pro104 overexpression in a subject in need thereof comprising,
a) combining a serum sample of a subject with a Pro104 antibody of claim 1 under conditions suitable for specific binding of the Pro104 antibody to Pro104 in said serum sample
b) determining the level of Pro104 in the serum sample,
c) comparing the level of Pro104 determined in step b to the level of Pro104 in a control,
wherein an increase in the level of Pro104 in the serum sample from the subject as compared to the control is indicative of Pro104 overexpression in the subject.

Claim 62 (withdrawn): The method of claim 61 wherein the subject has cancer.

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Claim 63 (withdrawn): The method of claim 62 wherein the subject has breast, ovarian, pancreatic or lung cancer or a metastatic cancer thereof.

Claims 64-71 (canceled)

Claim 72 (new): The antibody of Claim 1 which is detectably labeled.

Claim 73 (new): The antibody of Claim 72 wherein the label is selected from the group consisting of radiolabels, fluorescent labels, enzymatic labels or gold particles.

Claim 74 (new): An isolated antibody which is produced by a hybridoma selected from the group consisting of American Type Culture Collection accession number PTA-5277, 6076, 6077 and 6078 or competes for binding to the same epitope as the epitope bound by a monoclonal antibody produced by a hybridoma selected from the group consisting of ATCC accession number PTA-5277, 6076, 6077 and 6078.

Claim 75 (new): The antibody of Claim 74 which is a monoclonal antibody, an antibody fragment or a chimeric or humanized antibody.

Claim 76 (new): The antibody of Claim 74 which is conjugated to a growth inhibitory agent or a cytotoxic agent.

Claim 77 (new): The antibody of Claim 76 wherein the cytotoxic agent is selected from the group consisting of

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toxins, antibiotics, radioactive isotopes and nucleolytic enzymes.

Claim 78 (new): The antibody of Claim 74 which is detectably labeled.

Claim 79 (new): The antibody of Claim 78 wherein the label is selected from the group consisting of radiolabels, fluorescent labels, enzymatic labels or gold particles.

Claim 80 (new): A cell that produces the antibody of Claim 74.

Claim 81 (new): The cell of claim 80 wherein the cell is selected from the group consisting of hybridoma cells deposited under American Type Culture Collection accession number PTA-5277, 6076, 6077 and 6078.